



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 02-2463

Released: October 3, 2002

ENFORCEMENT BUREAU FIELD OPERATIONS LIST OF NOTICES OF APPARENT LIABILITY ISSUED

The following is a list of Notices of Apparent Liability issued by the Enforcement Bureau's Field Offices during the period August 1, 2002 through August 31, 2002. During that period, the Field Offices issued 22 Notices of Apparent Liability ("NALs") in amounts totaling \$211,000 for violations of the Communications Act of 1934, as amended, 47 U.S.C. § 151, *et seq.*, and/or the FCC's rules. As detailed below, of the 22 NALs issued, 12 involved violations of the Commission's safety-related rules (*e.g.*, antenna structure, AM station fencing requirements, cable signal leakage and Emergency Alert System). The Commission cautions licensees and antenna structure owners that the Commission takes compliance with these rules seriously. Failure to comply with these rules may result in significant enforcement actions.

This list is provided for information purposes and does not provide parties with additional rights. Parties wishing to make a payment or file a response to a NAL must do so in accordance with the instructions and by the deadline set forth in the NAL.

Communications Act

- **47 U.S.C. § 301 – Unauthorized Operation**
 - ***Accessory Connection, Inc., Palm Bay, FL. \$20,000 NAL.*** Other violation: 47 U.S.C. § 302a (Devices Which Interfere With Radio Reception). Tampa, FL District Office (8/5/02).
 - ***Marcel (NMI) Charles, a.k.a. Marcel M. Charles, a.k.a. Mariel M. Charles, a.k.a. Joseph M. Charles, Immokalee, FL. \$10,000 NAL.*** Tampa, FL District Office (8/5/02).
 - ***Odino Joseph, Naples, FL. \$10,000 NAL.*** Tampa, FL District Office (8/5/02).
 - ***Josue Alusma, Naples, FL. \$10,000 NAL.*** Tampa, FL District Office (8/6/02).
 - ***Networx Corporation, Pittsford, NY. \$10,000 NAL.*** Philadelphia, PA District Office (8/15/02).
 - ***Gateway Security Systems, Inc., Jamaica, NY. \$10,000 NAL.*** New York, NY District Office (8/19/02).

47 C.F.R. Part 11 – Emergency Alert System Rules

- **47 C.F.R. § 11.35 – Equipment Operational Readiness**

- **Jean J.Suh, d/b/a Radio Hankook, Puyallup, WA. \$22,000 NAL.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures), 17.4(g) (Posting of Antenna Structure Registration Number) and 17.50 (Cleaning and Repainting). Seattle, WA District Office (8/28/02).
- **J&W Promotions, Inc., WAPZ, Wetumpka, AL \$18,000 NAL.** Other violations: 47 C.F.R. §§ 17.4(a) (Antenna Structure Registration) and 73.49 (AM Transmission System Fencing Requirements). Atlanta, GA District Office (8/28/02).

47 C.F.R. Part 17 – Construction, Marking, and Lighting of Antenna Structures

- 47 C.F.R. § 17.4(a) – Antenna Structure Registration
 - **FBS Wireless Corporation, Berwick, PA. \$20,000 NAL.** Other violations: 47 C.F.R. §§ 17.51 (Time When Lights Should Be Exhibited) and 73.1590 (Equipment Performance Measurements). Philadelphia, PA District Office (8/12/02).
 - **St Louis Mobile Systems, Belle, MO. \$3,000 NAL.** Kansas City, MO District Office (8/20/02).
- 47 C.F.R. § 17.47 – Inspection of Antenna Structure Lights and Associated Control Equipment
 - **AAT Communications Corporation, Iselin, NJ. \$2,000 NAL.** Kansas City, MO District Office (8/13/02).
- 47 C.F.R. § 17.50 – Cleaning and Repainting
 - **Crown Castle GT Company, LLC, Canonsburg, PA. \$10,000 NAL.** Kansas City, MO District Office (8/27/02).
 - **KN Telecommunications, Inc., Lakewood, CO. \$10,000 NAL.** Kansas City, MO District Office (8/27/02).
- 47 C.F.R. § 17.51 – Time When Lights Should Be Exhibited
 - **Florida Cellular Service, LLC, Dallas, TX. \$10,000 NAL.** Tampa, FL District Office (8/7/02).

47 C.F.R. Part 73 – Radio Broadcast Rules

- 47 C.F.R. § 73.49 – AM Transmission System Fencing Requirements
 - **Times and News Publishing Company, Gettysburg, PA. \$7,000 NAL.** Philadelphia, PA District Office (8/5/02).
 - **Cumulus Licensing Corporation, WNAM, Oshkosh, WI. \$7,000 NAL.** Chicago, IL District Office (8/16/02).
 - **WCPC Broadcasting Co., Houston, MS. \$7,000 NAL.** New Orleans, LA District Office (8/21/02).
- 47 C.F.R. § 73.1350 – Transmission System Operations

- ***Clarke Broadcasting Corporation, KTIQ, Merced, CA. \$7,000 NAL.*** Other violations: 47 C.F.R. §§ 73.1400 (Transmission System Monitoring and Control), 73.1560 (Operating Power and Mode Tolerances) and 73.1745 (Unauthorized Operation). San Francisco, CA District Office (8/30/02).
- 47 C.F.R. § 73.1560 – Operating Power and Mode Tolerances
 - ***North American Broadcasting Company, Inc., Cave Creek, Arizona. \$4,000 NAL.*** San Diego, CA District Office (8/30/02).
- 47 C.F.R. § 73.1745 – Unauthorized Operation
 - ***Tri-County Broadcasting, Inc., Lynchburg, VA. \$4,000 NAL.*** Norfolk, VA Resident Agent Office (8/15/02).
- 47 C.F.R. § 73.3526 – Local Public Inspection File for Commercial Stations
 - ***Cumulus Licensing Corp., Atlanta, GA. \$2,000 NAL.*** Kansas City, MO District Office (8/12/02).

47 C.F.R. Part 76 – Multichannel Video and Cable Television Service

- 47 C.F.R. § 76.605 – Technical Standards
 - ***James C. Bilbrey et.al., Overton County Cable TV, Livingston, TB. \$8,000 NAL.*** Other violation: 47 C.F.R. § 76.611 (Cable Television Basic Signal Leakage Performance Criteria). Atlanta, GA District Office (8/26/02).